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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>CPB-MUL-30</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/554144</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/004472</b>	INTERNATIONAL FILING DATE <b>April 24, 2004</b>	PRIORITY DATE CLAIMED <b>April 28, 2003</b>
TITLE OF INVENTION <b>DEVICE FOR CLEANING THE GAS NOZZLE OF A WELDING TORCH</b>		
APPLICANT(S) FOR DO/EO/US <b>RALF SCHAEFER</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/554144</b>		INTERNATIONAL APPLICATION NO. PCT/EP2004/004472		ATTORNEY'S DOCKET NUMBER CPB-MUL-30	
20. Other items or information: PCT Publication WO 2004/096477 A2 Form PCT/RO/101, Form PCT/IB/308, Form PCT/ISA/210 Form PCT/ISA/237 and translation					
The following fees have been submitted				<b>CALCULATIONS      PTO USE ONLY</b>	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 200.00	
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100				\$ 400.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
<b>TOTAL OF 21, 22 and 23 =</b>				<b>900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	17 - 20 =	0	x \$ 50	\$ 0.00	
Independent claims	1 - 3 =	0	x \$200	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 0.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 900.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 900.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 900.00</b>	
				Amount to be refunded:	\$
				Amount to be charged	\$

10/554144

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

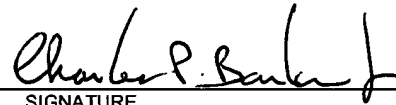
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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SIGNATURE

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October 24, 2005

Commissioner For Patents  
United States Patent & Trademark Office  
Box 1450  
Alexandria, Virginia 22313-1450

Docket No.  
CPB-MUL-30

Attention: PCT Application Branch

Dear Sir:

U. S. Patent Application  
PCT No. PCT/EP2004/004472  
Inventor: Ralf Schaefer  
Device For Cleaning The Gas  
Nozzle Of A Welding Torch

We enclose the following items for filing in the United States Patent and Trademark Office in connection with this patent application under 35 U.S.C. §371:

1. Transmittal Letter To DO/EO/US under §371
2. English Translation of PCT/EP2004/004472 with specification, 16 claims and abstract
3. Two (2) sheets of drawings
4. Declaration for Utility Application
5. Power of Attorney
6. Preliminary Amendment
7. PCT Publication No. WO-2004/096477-A2
8. International Search Report PCT/ISA/210
9. Form PCT/RO/101 PCT Antrag
10. Form PCT/IB/308 (01.09.2005)
11. Statement Under Rule 43bis.1 PCT Form PCT/ISA/237 and Translation
12. Information Disclosure Statement
13. Payment of \$900.00 filing fee

Applicants claim right of priority under 35 U.S.C. §119 on the following German Patent Application:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>
103 19 261.1	Germany	April 28, 2003

Commissioner For Patents

October 24, 2005

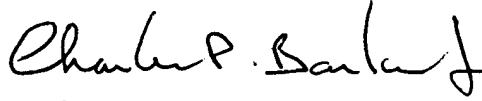
The name and address of the inventor appears in the Declaration as follows:

Ralf Schaefer  
Kattenbachstrasse 120a  
D-35435 Wettenberg  
Germany

Citizenship: Germany

Please assign an application number and filing date to the application and send a filing receipt to applicant's attorney at the above address.

Very truly yours,



Charles P. Boukus, Jr.

CPB/rmb  
Enclosures

Translation of pertinent portions of a combined search and examination report, Form PCT/ISA/237, pages 005 to 009, on PCT/EP2004/004472

Page 005:

1. This report contains indications relating to the following items:

- ☒ I: Basis of the report
- ☒ II: Priority
- ☒ V: Reasoned statement under Rule 43bis.1 (a) (I) as to novelty, inventive step and industrial applicability; citations and explanations in support of this statement.

Page 007:

II: Priority

[X] The following document has not yet been submitted:

[X] Copy of the earlier application has priority as claimed (Rule 43 bis.1 and 66.7 (a)).

It was therefore not possible to examine the validity of the claimed priority. Nevertheless, this report was prepared on the assumption that the claimed priority date is indeed the definitive date.

V: Reasoned Statement under Rule 43 bis.1 (a) (I) as to novelty, inventive step and industrial applicability; citations and explanations in support of this statement.

1. STATEMENT

Novelty (N) Yes: Claims 1-16

Inventive Step (IS) Yes: Claims 1-16

Industrial Applicability (IA) Yes: Claims 1-16

2. CITATIONS AND EXPLANATIONS

See appended page

Page 008:

V. Reasoned Statement ...

V.1 The following references are cited:

D1: DE 87 07 787 U (Friedelin THIELMANN), July 16,  
1987

D2: US Patent 4,733,050 (Gerald R. GRAFIUS), March 22,  
1988

V.2 Independent claim 1

Reference D1 is considered to be the closest prior art to the subject of claim 1. It discloses an apparatus for cleaning a gas nozzle of a welding torch and for spraying a welding wire located in the gas nozzle, from which the subject of claim 1 is distinguished in that

the spraying device is movable in the direction of a second axis, located differently from the first axis, with regard to the clamping/holding device.

The subject of claim 1 is accordingly novel (Article 33 (2) PCT).

The object to be attained by the present invention can thus be considered to be attaining a more-uniform wetting of the interior of the gas nozzle, or of the welding rod located in it, with an anti-stick medium.

The way proposed for attaining this object in claim 1



of the present application, namely disposing the nozzles movably relative to the clamping device, is not obvious from the prior art cited. Devices are indeed known in which a welding torch, guided by a robot arm, is displaced along a spraying device (see D2), but this involves various processing stations located next to one another which are approached in succession by a robot arm, rather than a device that performs the various steps in one position.

Claim 1 is accordingly based on an inventive step (Article 33 (3) PCT).

V.3 Claims 2 through 16 are dependent from claim 1 and thus likewise meet the requirements of the PCT with regard to novelty and inventive step.